

Attorney Docket No.: DEX0531US.NP  
Inventors: Wolfert et al.  
Serial No.: 10/588,339  
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#### REMARKS

Claims 1-4, 8-9, 12, 17, 19, 22, 25-27, 35-36, 39, 42-45, 48, 51-52, 55, 59, 61, 64, 67-70, 73-74, 76, 78, 80-82 and 86-89 are pending in the instant application. These claims have been subjected to the following Restriction Requirement:

Group I, claims 1-4, 8-9, 12, 17, 19 and 22, drawn to a method for measuring enzymatically active Lp-PLA2;

Group II, claims 25-27, 30, 35-36, 39, 42-45, 48, 51-52, 55, 59, 61, 64 and 67-70, drawn to a method and a kit for measuring enzymatically active Lp-PLA2; and

Group III, claims 73-74, 76, 78, 80-82 and 86-89, drawn to a method and kit for measuring enzymatically active Lp-PLA2.

The Examiner suggests that Groups I-III do not relate to a single general inventive concept under PCT Rule 13.1 because, under PCT Rule 13.2, they lack the same or corresponding special technical feature. Specifically, the Examiner suggests that the special technical feature i.e. "contacting immobilized Lp-PLA2 with a substrate to convert detectable product" of the inventions of Groups I-III is obvious over Kujiraoka et al. (Journal of Lipid Research 2003) in view of Kosaka et al. (Clinica Chimica Acta 2000).

Applicants respectfully traverse this Restriction Requirement.

Applicants respectfully disagree with the Examiner that

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contacting immobilized Lp-PLA2 with a substrate to measure enzymatic activity of Lp-PLA2 is obvious over the cited references Kujiraoka et al. (Journal of Lipid Research 2003) in view of Kosaka et al. (Clinica Chimica Acta 2000). Neither of these references measure enzymatic activity of immobilized Lp-PLA2. Further, it is not obvious that Lp-PLA2, immobilized with e.g. an antibody, would maintain its enzymatic activity. In fact, antibodies have been demonstrated in the art to **inhibit** the activity of enzymes (specifically lipases, of which Lp-PLA2 is a family member).

Accordingly, the basis for this Restriction Requirement is flawed.

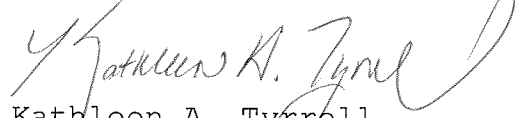
Reconsideration and withdrawal of this Restriction Requirement is respectfully requested.

However, in an earnest effort to be completely responsive, Applicants elect Group III, claims 73-74, 76, 78, 80-82 and 86-89, with traverse.

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Applicants believe that the foregoing comprises a full and complete response to the Office Action of record.

Respectfully submitted,



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